



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

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PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

## RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 1st August, 2001:—

### I

BILL No. L of 2001

*A Bill to repeal the Indian Railway Companies Act, 1895.*

BE it enacted by Parliament in the Fifty-second Year of the Republic of India as follows:—

1. This Act may be called the Indian Railway Companies (Repeal) Act, 2001.
2. The Indian Railway Companies Act, 1895 is hereby repealed.

Short title.

Repeal of Act  
10 of 1895.

**STATEMENT OF OBJECTS AND REASONS**

The Indian Railway Companies Act, 1895 enables a Railway Company to pay interest on its paid-up share capital out of capital and treat the amount so paid as the total cost of the project. A similar provision relating to power of company to pay interest out of capital in certain cases exists in section 208 of the Companies Act, 1956. The provisions of section 208 of the Companies Act, 1956 are applicable in case of all the companies registered under the Companies Act, 1956 including the Railway Companies. Consequent upon enactment of the Companies Act, 1956 the Indian Railway Companies Act, 1895 has become redundant.

2. The Bill, therefore, seeks to repeal the Indian Railway Companies Act, 1895.

NITISH KUMAR.

**II****BILL No. LI of 2001**

*A Bill to repeal the Railway Companies (Substitution of Parties in civil Proceedings) Act, 1946.*

**BE it enacted by Parliament in the Fifty-second Year of the Republic of India as follows:—**

**1. This Act may be called the Railway Companies (Substitution of Parties in Civil Proceedings) Repeal Act, 2001.**

Short title.

**2. The Railway Companies (Substitution of Parties in Civil Proceedings) Act, 1946 is hereby repealed.**

Repeal of Act  
14 of 1946.

## STATEMENT OF OBJECTS AND REASONS

The Government of India Act, 1935 provided for the substitution of Dominion of India in place of Governor-General in Council in all contracts, legal proceedings including suits, appeals, etc. Further, clause (2) of article 300 of the Constitution provides that if any legal proceedings are pending to which the Dominion of India is a party, the Union of India shall be deemed to be substituted for the Dominion in those proceedings. In view thereof, the Railway Companies (Substitution of Parties in Civil Proceedings) Act, 1946 does not serve any purpose and has become redundant.

2. The Bill, therefore, seeks to repeal the Railway Companies (Substitution of Parties in Civil Proceedings) Act, 1946.

NITISH KUMAR

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R. C. TRIPATHI,  
*Secretary-General.*